

COUNTY COUNCIL
OF
HARFORD COUNTY, MARYLAND

BILL NO. 75-101 (as amended)

Introduced by Councilman Shumate

Legislative Day No. 75-37 Date: November 18, 1975

AN ACT to approve the terms of the proposed agreement between Harford County, Maryland, Maryland Environmental Services and Joppatowne Utilities Corporation for the acquisition of the Joppatowne Utilities Corporation, its real and personal property, rights, privileges, waters, streams, easements, franchises, facilities and property rights of any kind whatsoever; and generally related to the aforesaid agreement and purchase.

By the Council, November 18, 1975

Introduced, read first time, ordered posted and public hearing scheduled

on: December 11, 1975

at: 7:30 P.M.

By Order: _____, Secretary

PUBLIC HEARING

Having been posted and Notice of time and place of hearing and Title of Bill having been published according to the Charter, a public hearing was held on December 11, 1975 and concluded on December 11, 1975.

Angela Markovitch, Secretary

BILL NO. **75-101**
AS AMENDED

1 WHEREAS, the Annotated Code of Maryland, Natural
2 Resources, Title 3, Environmental Programs, Subtitle 1, Maryland
3 Environmental Services, Subsection 3-107, provides that either
4 the Maryland Environmental Services or Harford County, Maryland,
5 shall take appropriate action to acquire the water supply and
6 waste water systems of the Joppatowne Utilities Corporation,
7 whether by gift, purchase or condemnation, including the real and
8 personal property, rights, privileges, waters, streams, easements,
9 franchises, facilities and property rights of any kind whatsoever;
10 and

11 WHEREAS, Section 210(d) of the Code of Public Local
12 Laws of Harford County (1965 Edition, as amended) requires that
13 the County Executive of Harford County enter into a contract with
14 the Maryland Environmental Services; and

15 WHEREAS, Section 210(d) of the Code of Public Local
16 Laws of Harford County (1965 Edition, as amended) requires that
17 the Maryland Environmental Services will either acquire through
18 condemnation or purchase the property of the Joppatowne Utilities
19 Corporation and to issue and sell bonds for the purpose of
20 said acquisition; and

21 WHEREAS, on April 24, 1974, the County and the Maryland
22 Environmental Services entered into an agreement regarding their
23 respective rights and obligations concerning, among other things,
24 the financing and operation of the Joppatowne Utilities Corpora-
25 tion after acquisition which said agreement was approved by
26 Resolution by the Harford County Council on May 7, 1974; and

27 WHEREAS, Harford County, Maryland, the Maryland
28 Environmental Services and the Joppatowne Utilities Corporation,
29 have entered into an agreement for an outright sale of the
30 Joppatowne Utilities Corporation, its real and personal property,
31 rights, privileges, waters, streams, easements, franchises,
32 facilities and property rights of any kind whatsoever; and

1 WHEREAS, the Annotated Code of Maryland, Natural
2 Resources, Title 3, Environmental Programs, Subtitle 1, Maryland
3 Environmental Services, Subsection 3-107(c), provides for
4 approval of any agreement made pursuant to Subsections (a) and
5 (b) of Subtitle 1.

6 NOW, THEREFORE,
7 Section 1. *Be It Enacted By The County Council Of Harford County,*
8 *Maryland,* that the terms of the proposed agreement, a copy of
9 which is attached hereto and made a part of this Act, between
10 the Joppatowne Utilities Corporation, a Maryland corporation,
11 the Maryland Environmental Services, a body corporate and politic
12 and an instrumentality of the State of Maryland, and Harford
13 County, Maryland, a subdivision of the sovereign State of Mary-
14 land, be, and the same are hereby approved.

15 Section 2. *And Be It Further Enacted,* that the County Executive
16 and the President of the County Council are hereby authorized
17 to execute on behalf of the County said proposed contract.

18 Section 3. *And Be It Further Enacted,* that the Maryland
19 Environmental Services shall investigate and apply for any
20 and/or all monies available for acquisition costs from the United
21 States of America or any agency or instrumentality thereof or
22 by the State of Maryland, or by any agency or instrumentality
23 thereof in lieu of proceeds to be derived from the issuance from
24 notes, bonds or other obligations.

25 Section 4. *And Be It Further Enacted,* that this Act and all
26 action on behalf of the County made pursuant to this Act shall
27 be null and void and of no force or effect unless the Maryland
28 Environmental Services shall secure financing satisfactory to
29 the County for the acquisition of the Joppatowne Utilities
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1 Corporation, its real and personal property, rights, privileges,
2 waters, streams, easements, franchises, facilities and property
3 rights of any kind whatsoever, on or before the effective date
4 of this Act; OR SUCH LATER DATE AS MAY, FROM TIME TO TIME, BE
5 DETERMINED UPON THE RECOMMENDATION OF THE COUNTY EXECUTIVE, AND
6 APPROVED BY A RESOLUTION OF THE COUNTY COUNCIL.

7 THE CONDITION OF THIS SECTION SHALL BE DEEMED
8 SATISFIED UPON RECOMMENDATION MADE BY THE COUNTY EXECUTIVE AND
9 APPROVED BY A RESOLUTION OF THE COUNTY COUNCIL.

10 Section 5. *And Be It Further Enacted*, that this Act shall take
11 effect sixty (60) days from the date it becomes law.

12 EFFECTIVE: March 23, 1976
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BY THE COUNCIL

Read the third time.

Passed LSD 76-3 (January 20, 1976) (with amendments)

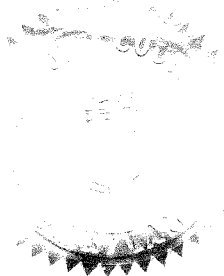
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By order

Angela Markowski, Secretary

Sealed with the County Seal and presented to the County Executive
for his approval this 21st day of January, 1976
at 3:15 o'clock P.M.

Angela Markowski, Secretary



APPROVED:

BY THE EXECUTIVE

[Signature]
County Executive

Date 1-23-76

BY THE COUNCIL

This Bill, having been approved by the Executive and
returned to the Council, becomes law on March 23, 1976.

Angela Markowski
Angela Markowski, Council Secretary

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Rec'd for record 3/12 1976 at 2:30 P.M.
Same d. recorded & examined, per
H. Las Chilcoat, Clerk